

## **TOWN PLANNING BOARD**

### **Minutes of 665<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 5.2.2021**

#### **Present**

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Dr Lawrence K.C. Li

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr K.W. Leung

Dr Jeanne C.Y. Ng

Dr Venus Y.H. Lun

Mr Y.S. Wong

Chief Traffic Engineer/New Territories East,  
Transport Department  
Mr Ken K.K. Yip

Chief Engineer (Works), Home Affairs Department  
Mr Gavin C.T. Tse

Principal Environmental Protection Officer (Strategic Assessment),  
Environmental Protection Department  
Mr Stanley C.F. Lau

Assistant Director/Regional 3,  
Lands Department  
Mr Alan K.L. Lo

Deputy Director of Planning/District  
Miss Fiona S.Y. Lung

Secretary

**Absent with Apologies**

Mr Ricky W.Y. Yu

Dr Conrad T.C. Wong

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board  
Ms W.H. Ho

Town Planner/Town Planning Board  
Ms Andrea W.Y. Yan

## **Opening Remarks**

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

## **Agenda Item 1**

### **Confirmation of the Draft Minutes of the 664<sup>th</sup> RNTPC Meeting held on 22.1.2021**

[Open Meeting]

2. The draft minutes of the 664<sup>th</sup> RNTPC meeting held on 22.1.2021 were confirmed without amendments.

## **Agenda Item 2**

### **Matter Arising**

[Open Meeting]

3. The Secretary reported that a typographical error was spotted on page 25 of the confirmed minutes for the RNTPC meeting held on 8.1.2021. Amendment was required to rectify that approval conditions (b) and (c) regarding the submission and implementation of water supplies for fire fighting and fire service installations proposal should be complied with to the satisfaction of the Director of Fire Services or of the Town Planning Board by 8.4.2021 and 8.7.2021 respectively, instead of 8.4.2024 and 8.7.2024. Members noted that the minutes would be amended and a revised approval letter would be issued to the applicant accordingly.

**Sai Kung and Islands District**

**Agenda Item 3**

**Section 12A Application**

[Open Meeting]

Y/I-LWKS/3                      Application for Amendment to the Approved Luk Wu and Keung Shan Outline Zoning Plan S/I-LWKS/2, To rezone the application site from “Government, Institution or Community (1)” to “Government, Institution or Community (2)”, Lot 724 (part) in D.D. 311, Keung Shan, Lantau Island  
  
(RNTPC Paper No. Y/I-LWKS/3)

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4.                      The Secretary reported that the application was withdrawn by the applicant after issuance of the paper.

**Sha Tin, Tai Po and North District**

**Agenda Item 4**

**Section 12A Application**

[Open Meeting]

Y/NE-STK/2                      Application for Amendment to the Approved Sha Tau Kok Outline Zoning Plan No. S/NE-STK/2, To rezone the application site from “Village Type Development” and “Recreation” to “Other Specified Uses” annotated “Columbarium”, Lots 1420 (Part), 1421 (Part), 1422 S.B (Part), 1423 S.B (Part) and 1423 S.C (Part) in D.D. 41, Tong To, Sha Tau Kok  
  
(RNTPC Paper No. Y/NE-STK/2A)

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5.                      The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private

Columbaria Licensing Board.

6. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

7. The Committee noted that the applicant's representative requested on 14.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including a Traffic Impact Assessment and responses to address departmental comments.

8. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Item 5**

**Section 12A Application**

[Open Meeting]

Y/ST/47

Application for Amendment to the Approved Sha Tin Outline Zoning Plan No. S/ST/34, To rezone the application site from “Village Type Development” and “Green Belt” to “Other Specified Uses” annotated “Columbarium(1)”, Lots 551 S.A, 551 RP, 640, 644 S.A, 644 S.B and 644 RP in D.D. 176 and Adjoining Government Land, Fo Tan, Sha Tin (RNTPC Paper No. Y/ST/47)

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9. The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

10. The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

11. The Committee noted that the applicant’s representative requested on 25.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

12. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 6**

**Section 12A Application**

[Open Meeting]

Y/TP/33                      Application for Amendment to the Approved Tai Po Outline Zoning Plan S/TP/28, To rezone the application site from “Open Space” to “Government, Institution or Community (3)”, Lots 136 RP (Part) and 138 RP (Part) in D.D. 5 and adjoining Government Land, 8 Mui Shue Hang, Tai Po  
  
(RNTPC Paper No. Y/TP/33)

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13.                      The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

14.                      The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

15.                      The Committee noted that the applicant’s representative requested on 25.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

16.                      After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Tuen Mun and Yuen Long West District**

**Agenda Item 7**

**Section 12A Application**

[Open Meeting]

Y/TM/24                      Application for Amendment to the Approved Tuen Mun Outline Zoning Plan No. S/TM/35, To rezone the application site from “Green Belt” to “Government, Institution or Community”, Lots 1744 S.D ss.1 (Part) and 1744 S.D RP (Part) in D.D. 132, Hing Fu Street, Tuen Mun (RNTPC Paper No. Y/TM/24A)

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17.                      The Secretary reported that the application was for columbarium use and Mr K.K. Cheung had declared an interest on the item for his firm being the legal advisor of the Private Columbaria Licensing Board.

18.                      The Committee noted that the applicant had requested deferment of consideration of the application. As the interest of Mr K.K. Cheung was indirect, the Committee agreed that he could stay in the meeting.

19.                      The Committee noted that the applicant’s representative requested on 21.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

20.                      After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier



meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

### **Agenda Item 8**

#### **Section 12A Application**

[Open Meeting]

Y/TM-LTYYY/7            Application for Amendment to the Draft Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYYY/9, To Rezone the Application Site from "Residential (Group E)" and "Village Type Development" to "Residential (Group A)", Lots 220 RP and 221 in D.D. 130, San Hing Road, San Hing Tsuen, Tuen Mun  
(RNTPC Paper No. Y/TM-LTYYY/7C)

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21.            The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with ARUP.

22.            The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

23.            The Committee noted that the applicant's representative requested on 15.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the fourth time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, revised visual impact assessment report and master layout plan.

24.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

applicant. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the fourth deferment and a total of eight months had been allowed for preparation of the submission of further information, this was the last deferment and no further deferment would be granted.

### **Sai Kung and Islands District**

[Mr Kenneth C.K. Yeung and Ms Jane W.L. Kwan, Senior Town Planners/Sai Kung and Islands (STPs/SKIs), were invited to the meeting at this point.]

### **Agenda Item 9**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SLC/166                      Proposed Excavation and Filling of Land for Permitted Waterworks  
Implemented by Government in "Coastal Protection Area" Zone,  
Government Land near Lo Uk Tsuen, Pui O, Lantau  
(RNTPC Paper No. A/SLC/166A)

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25.            The Secretary reported that the application was submitted by the Water Supplies Department (WSD) and Black & Veatch Hong Kong Limited (B&V) was one of the consultants of the applicant. Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with WSD and B&V.

26.            As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

#### **Presentation and Question Sessions**

27. With the aid of a PowerPoint presentation, Mr Kenneth C.K. Yeung, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed excavation and filling of land for permitted waterworks implemented by the Government;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, three public comments from Kadoorie Farm & Botanic Garden Corporation and an individual raising concerns on the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed works were part of the project under the Siu Ho Wan Water Treatment Works Extension – Investigation, Design and Construction (the Project), which was considered as essential infrastructure works with overriding public interest. The proposed works were considered small in scale and the application site would be reinstated to the existing condition after completion of the works. The Director of Agriculture, Fisheries and Conservation had no strong view on the application as the potential ecological impacts had been assessed in the approved Environmental Impact Assessment (EIA) Report. While one tree located within the proposed works area would be felled, one compensatory tree was proposed and the Chief Town Planner/Urban Design and Landscape, PlanD, had no objection to the application from landscape planning perspective. The proposed works were subject to an EIA and an Environmental Permit was granted for the Project. The Director of Environmental Protection had no objection to the application as there was no major environmental issue

envisaged in view of the scope and nature of the proposed works. Other concerned government departments had no objection to or no adverse comment on the application. There were similar applications falling within the “Coastal Protection Area” zone and approving the subject application was in line with the Committee’s previous decision on similar approved applications. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

[Dr Lawrence K.C. Li joined the meeting during the presentation session.]

28. Members had no question on the application.

#### Deliberation Session

29. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 5.2.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

30. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

**Agenda Item 10**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-CWBS/36 Proposed Excavation and Filling of Land (Installation of Electricity Meter Kiosk for Permitted Agricultural Use) in “Conservation Area” Zone, Lot 140 in D.D. 230, Siu Hang Hau Village, Clear Water Bay Road, Sai Kung  
(RNTPC Paper No. A/SK-CWBS/36)

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**Presentation and Question Sessions**

31. Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed excavation and filling of land (installation of electricity meter kiosk for permitted agricultural use);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, five objecting comments from Kadoorie Farm & Botanic Garden Corporation, World Wide Fund For Nature Hong Kong, Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed works were required for installation of the electricity meter kiosk to provide electricity for lighting and automatic water sprinkler system to facilitate the permitted agricultural use at the application site. The proposed works were small in scale and not incompatible with the

surrounding environment. Sympathetic consideration might be given to the application. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

32. Members had no question on the application.

#### Deliberation Session

33. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.2.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed.

34. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

[The Chairman thanked Mr Kenneth C.K. Yeung and Ms Jane W.L. Kwan, STPs/SKIs, for their attendance to answer Members' enquiries. They left the meeting at this point.]

**Sha Tin, Tai Po and North District**

**Agenda Item 11**

**Section 16 Application**

[Open Meeting]

A/ST/988                      Proposed Office, Eating Place (Canteen) and Shop and Services in  
“Industrial (1)” Zone, No. 2 Yuen Shun Circuit, Yuen Chau Kok, Sha  
Tin  
(RNTPC Paper No. A/ST/988A)

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35.            The Committee noted that the applicant’s representative requested on 19.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including revised architectural drawings, revised traffic impact assessment and revised visual impact assessment to address departmental comments.

36.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Items 12 and 13**

**Section 16 Applications**

[Open Meeting]

A/NE-LT/693 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 892 S.B ss.2 in D.D. 8, Ma Po Mei Village, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/693 and 694)

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A/NE-LT/694 Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 892 S.B ss.1 (Part) in D.D.8, Ma Po Mei Village, Lam Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/693 and 694)

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37. The Committee noted that the applicants’ representative requested on 21.1.2021 deferment of consideration of the applications for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the applications.

38. After deliberation, the Committee decided to defer a decision on the applications as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the applications should be submitted for its consideration within two months from the date of receipt of further information from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicants that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

[Mr. Tony Y.C. Wu and Mr. Tim T.Y. Fung, Senior Town Planners/Shia Tin, Tai Po and North (STP/STN), were invited to the meeting at this point.]



**Agenda Item 14**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/583 Proposed 5 Houses (New Territories Exempted Houses) in “Agriculture” Zone, Lots 643B S.A RP, 643B S.B, 643B RP, 644 S.A, 644 S.B and 644 RP in D.D. 9, Yuen Leng Village, Tai Po  
(RNTPC Paper No. A/NE-KLH/583C)

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39. The Secretary reported that Spence Robinson Limited (SRL) was one of the consultants of the applicant and Mr K.K Cheung had declared an interest on the item for his firm having current business dealings with SRL. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

40. Mr. Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed five houses (New Territories Exempted Houses (NTEHs));
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, six public comments including one from MTR Corporation Limited raising concerns on the application and five from Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong, Tai Po Yuen Leng Village Resident’s Association and two individuals raising objection to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper.

The proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation. There was no strong planning justification in the submission for a departure from the planning intention. The Lands Department (LandsD) also objected to the application as the land lease covering the application site (i.e. Block Government Lease demised for agricultural purpose with no building entitlement) did not meet LandsD’s criteria in processing NTEH application. While the proposed development was not incompatible with the surrounding area, the application site fell within the upper indirect water gathering grounds (WGG) and the Water Supplies Department considered that the proposed development would pose high risk of pollution to the WGG. As the applicant had not submitted a risk assessment report, the application should not be approved. The Environmental Protection Department advised that the noise impact assessment submitted by the applicant had not yet demonstrated that the proposed development would be in compliance with the requirements under the Noise Control Ordinance and the Hong Kong Planning Standards and Guidelines. Other concerned government departments had no objection to or no adverse comment on the application. The application site was the subject of a previously rejected application (No. A/NE-KLH/556) for the same use submitted by the same applicant. The major development parameters under the current application were largely the same as those of the previous application and there was no major change in planning circumstances since the rejection of the previous application. The planning circumstances for rejection of a similar application (No. A/NE-KLH/404) in the vicinity of the application site were largely applicable to the current application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

41. Members had no question on the application.

42. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong justification in the current submission for a departure from the planning intention;
- (b) the site falls within the upper indirect water gathering grounds (WGG) and the applicant fails to demonstrate that the proposed development would cause no material increase in pollution effect to the WGG; and
- (c) the proposed development would be subject to adverse noise impact generated by the East Rail Line nearby, and the applicant fails to demonstrate that the impact could be addressed.”

### **Agenda Item 15**

#### **Section 16 Application**

[Open Meeting]

A/NE-KLH/585      Temporary Activity Centre for a Period of 3 Years in “Green Belt”  
Zone, Lot 477 RP in D.D. 9, Nam Wa Po, Tai Po  
(RNTPC Paper No. A/NE-KLH/585C)

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43. The Committee noted that the applicant’s representative requested on 1.2.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information in support of the application. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had provided responses to address departmental comments.

44. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the third deferment and a total of six months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

### **Agenda Item 15A**

#### Additional Item

#### Section 16 Application

[Open Meeting]

A/NE-KLH/591 Proposed 2 Houses (New Territories Exempted Houses) in "Green Belt" Zone, Lot 784 (Part) in D.D. 9, Kau Lung Hang, Tai Po  
(RNTPC Paper No. A/NE-KLH/591A)

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45. The Committee noted that the applicant's representative requested on 29.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information in support of the application. It was the second time that the applicant requested deferment of the application. Due to the latest COVID-19 epidemic situation, the applicant needed more time to prepare further information to address comments from the Lands Department.

46. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier

meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

## **Agenda Item 16**

### **Section 16 Application**

[Open Meeting]

A/NE-KLH/592      Proposed Temporary Helicopter Landing Pad for a Period of 3 Years in  
"Green Belt" Zone, Lot 777 in D.D. 9, Kau Lung Hang, Tai Po  
(RNTPC Paper No. A/NE-KLH/592A)

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47.            The Committee noted that the applicant's representative requested on 19.1.2021 deferment of consideration of the application for two months so as to allow more time to consult relevant government departments and prepare further information to address departmental comments. It was the second time that the applicant requested deferment of the application.

48.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Item 17**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-PK/144            Proposed House (New Territories Exempted House - Small House) in  
                                 “Agriculture” Zone, Lots 1594 S.B and 1595 S.D in D.D. 91, Kai Leng,  
                                 Sheung Shui  
                                 (RNTPC Paper No. A/NE-PK/144)

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**Presentation and Question Sessions**

49.            Mr. Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication periods, four public comments including three from Designing Hong Kong Limited, the Hong Kong Bird Watching Society and an individual raising objection to the application and one from an individual indicating no comment on the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the proposed development was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed high potential for agricultural rehabilitation, the

proposed Small House was not incompatible with the surrounding rural setting and other concerned government departments had no objection to or no adverse comment on the application. The application generally complied with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (Interim Criteria) in that more than 50% of the Small House footprint fell within the village 'environs' ('VE') and there was a general shortage of land within the "Village Type Development" ("V") zone to meet the Small House demand. Sympathetic consideration should be given to the application. The circumstances of the current application were largely the same as those of the approved applications within the same "AGR" zone. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

50. Two Members raised the following questions:

- (a) the criteria for assessing applications for NTEH/Small House developments in "AGR" zone, given a similar application (No. A/NE-KLH/583) under Item 14 of the same meeting was rejected by the Committee; and
- (b) status of the sites with Small House grant application being processed as shown on Plan A-2a of the Paper.

51. In response, Mr. Tony Y.C. Wu, STP/STN, made the following main points:

- (a) in general, applications for NTEH/Small House would be assessed in accordance with the Interim Criteria, including whether the footprint of the proposed NTEH/Small House fell within 'VE' and V" zone, whether the proposed development would be compatible with the surrounding area/development and would cause adverse impacts on the surrounding area. For proposed developments falling within the "AGR" zone, comments of DAFC as well as other concerned departments would also be taken into account. For the current application, as the proposed Small House generally complied with the Interim Criteria in that more than 50% of the

Small House footprint fell within 'VE', there was a general shortage of land within the "V" zone to meet the Small House demand and the circumstances of the current application were largely the same as those of the similar approved applications within the same "AGR" zone, PlanD had no objection to the application. As for application No. A/NE-KLH/583, it was for proposed development of five NTEH rather than Small House under the Small House Policy. The criteria relating to the extent of building footprint within 'VE' and the availability of land to meet Small House demand were not applicable. In considering applications for NTEH development, a host of factors including whether the proposed development would cause adverse impacts on the surrounding area would be considered. Each application would be considered based on its individual merits; and

- (b) for the sites with Small House grant applications being processed by the Lands Department in the same "AGR" zone, planning permissions for Small House development had already been granted.

### Deliberation Session

52. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.2.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB; and
- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.”

53. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.



**Agenda Item 18**

**Section 16 Application**

[Open Meeting]

A/NE-PK/145      Temporary Warehouse (Antique Vehicles and Spare Vehicle Parts) for a Period of 3 Years in “Agriculture” Zone, Lot 2161 (Part) in D.D. 91, Tai Lung Tsuen, Ping Kong, Sheung Shui  
(RNTPC Paper No. A/NE-PK/145)

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54.            The Secretary reported that the application was withdrawn by the applicant after issuance of the agenda of the meeting.

**Agenda Item 19**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TK/697      Temporary Barbecue Site for a Period of 3 Years in “Agriculture” Zone, Various Lots in D.D. 17, Ting Kok, Tai Po  
(RNTPC Paper No. A/NE-TK/697)

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**Presentation and Question Sessions**

55.            Mr Tony Y.C. Wu, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary barbecue site for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the paper;
- (d) no public comment was received during the first three weeks of the

statutory publication period; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the temporary use could be tolerated for a period of three years based on the assessments set out in paragraph 11 of the Paper. The applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the site had potential for rehabilitation for agriculture use. Nevertheless, the applied use was temporary in nature and would unlikely frustrate the planning intention in the long run. The applied use was considered not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. The application site was part of the subject of seven previous applications for temporary barbecue site. Compared with the last application No. A/NE-TK/624 approved in 2018, there was a slight increase in the site area with six additional structures. There were also 11 similar applications approved within the same “AGR” zone. The circumstances for approval of the previous and similar applications were largely applicable to the current application.

56. Members had no question on the application.

#### Deliberation Session

57. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no night-time operation between 11:00 p.m. and 8:00 a.m., as proposed by the applicant, is allowed on the application site during the planning approval period;
- (b) the maintenance of the existing trees and vegetation on the application site at all times during the planning approval period;

- (c) the maintenance of precautionary/protective measures on the application site at all times during the planning approval period to ensure no adverse impacts on the nearby “Coastal Protection Area” zone and Ting Kok Site of Special Scientific Interest;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (e) in relation to (d) above, implementation of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (f) the submission of a proposal for fire service installations and water supplies for firefighting within 6 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (g) in relation to condition (f) above, the implementation of the proposal for the fire service installations and water supplies for firefighting within 9 months from the date of the planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (h) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (i) if any of the above planning condition (d), (e), (f) or (g) is not complied with within the specified time limit, the approval hereby given shall cease to have effect and shall on the same day be revoked without further notice; and
- (j) upon the expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of

Planning or of the TPB.”

58. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

## **Agenda Item 20**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-FTA/199 Temporary Cargo Handling and Forwarding Facility (Logistics Centre) for a Period of 3 Years in “Agriculture” Zone, Lots 40 RP (Part), 404 S.A (Part), 408 S.A RP (Part), 408 S.B RP (Part), 409, 410 (Part), 413 (Part), 414 (Part), 416 (Part), 417 RP (Part), 435, 436, 437 RP in D.D. 89 and Adjoining Government Land, Fu Tei Au, Sheung Shui  
(RNTPC Paper No. A/NE-FTA/199A)

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### **Presentation and Question Sessions**

59. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary cargo handling and forwarding facility (logistics centre) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments including two from World Wide Fund For Nature Hong Kong and an individual raising objection to the application and one from a North District Council member indicated no comment on the application were received. Major views were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site had potential for agricultural rehabilitation, the application was only on a temporary basis for a period of three years and approval of the application would not frustrate the long-term planning intention of the “AGR” zone. The applied use generally complied with the Town Planning Board Guidelines No. 13F and concerned government departments had no objection to or no adverse comment on the application. The application site was the subject of nine previously approved applications for various temporary logistics uses. There had been no major change in the planning circumstances for the area since the approval of the last previous application in 2018 (No. A/NE-FTA/181 submitted for the same use). Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

60. Members had no question on the application.

#### Deliberation Session

61. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 8:00 p.m. and 8:00 a.m. on Mondays to Saturdays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;

- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (d) in relation to (c) above, the provision of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (e) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (f) in relation to (e) above, the provision of the water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (g) if any of the above planning condition (a) or (b) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (h) if any of the above planning condition (c), (d), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (i) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning.”

62. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

**Agenda Item 21**

**Section 16 Application**

[Open Meeting]

A/NE-FTA/201      Proposed Temporary Cold Storage for Poultry and Distribution Centre for a Period of 3 Years in “Agriculture” Zone, Lots 471 S.B RP (Part), 472, 473, 474, 475, 476, 482 RP, 483, 484, 486, 487 RP, 497 S.A RP, 501, 502, 504 S.B, 505 and 506 S.B RP in D.D. 89 and Adjoining Government Land, Man Kam To Road, Sha Ling  
(RNTPC Paper No. A/NE-FTA/201)

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63.            The Committee noted that the applicant’s representative requested on 27.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address comments from various government departments. It was the first time that the applicant requested deferment of the application.

64.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 22**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/725      Proposed Temporary Public Vehicle Park (Private Car and Light Goods Vehicle Only) for a Period of 3 Years in “Village Type Development” Zone, Lot 1573 S.A (Part) in D.D. 76, Kan Tau Tsuen, Lung Yeuk Tau (RNTPC Paper No. A/NE-LYT/725B)

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**Presentation and Question Sessions**

65.      Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private car and light goods vehicle only) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, six public comments including one attaching a number of signatures supporting the application, one from the Chairman of Sheung Shui District Rural Committee indicating no comment and four from the Chairman, the First Vice-Chairman, the Vice-Chairman of Fanling District Rural Committee and an individual objecting to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Whilst the proposed use was not in line with the planning intention of the “Village Type Development” zone, the Lands Department had no objection to the application and advised that no Small House application on the



application site had been received. Moreover, according to the applicant, the proposed use would help to serve the local villagers meeting their car parking needs. Given the temporary nature of the use, approval of the application on a temporary basis would not frustrate the long-term planning intention of the area. The proposed use was considered not entirely incompatible with the surroundings. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received and the comments conveyed by District Officer (North), Home Affairs Department, the comments of government departments and planning assessments above were relevant.

66. Members had no question on the application.

#### Deliberation Session

67. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;
- (b) only private car/light goods vehicle as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private car/light goods vehicle as defined in the Road Traffic Ordinance is allowed to be parked on or enter/exit the site at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or

of the TPB by 5.8.2021;

- (e) in relation to (d) above, the provision of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (f) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (g) in relation to (f) above, the provision of the water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (h) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

68. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

**Agenda Item 23**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LYT/742      Proposed Temporary Public Vehicle Park (Private Cars) for a Period of  
3 Years in “Agriculture” Zone, Lot 470 (Part) in D.D. 83 and  
Adjoining Government Land, Kwan Tei, Fanling  
(RNTPC Paper No. A/NE-LYT/742)

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**Presentation and Question Sessions**

69.      Mr. Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary public vehicle park (private cars) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments including one from the Chairman of Sheung Shui District Rural Committee indicating no comment on the application and one from an individual raising objection to the application were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. The proposed use was not in line with the planning intention of the “Agriculture (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application from agricultural point of view since the application site possessed potential for agricultural rehabilitation. Nevertheless, given the application was temporary in nature and small in

scale, it was considered that the approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not entirely incompatible with the surrounding land uses. Other concerned government departments had no objection to or no adverse comment on the application. The application site was the subject of a previously approved application (No. A/NE-LYT/568) for the same use submitted by the same applicant as the current application. There was no major change in the planning circumstances since the last approval of the previous application. As similar application within the same “AGR” zone (No. A/NE-LYT/718) was rejected by the Committee but the planning circumstances of the current application were different from those of the rejected similar application. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

70. Noting that there was one similar application (No. A/NE-LYT/718) for temporary public vehicle park within the same “AGR” zone rejected by the Committee, a Member enquired on the differences between the rejected application and the current application. In response, Mr Tim T.Y. Fung, STP/STN, by referring to Plan A-1 of the Paper, said that application No. A/NE-LYT/718, which was located to the immediate southwest of the current application, was rejected mainly on the consideration that the applicant had not provided sufficient information to demonstrate that the proposed use would not cause adverse traffic impact on the surrounding area. In the current application, the Commissioner for Transport had no objection to the application.

#### Deliberation Session

71. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licence issued under the Road Traffic (Registration and Licensing of Vehicles) Regulations is allowed to be parked/stored on the site at any time during the planning approval period;

- (b) only private car as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) a notice should be posted at a prominent location of the site to indicate that only private car, as defined in the Road Traffic Ordinance is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) the boundary fence on the site should be maintained at all times during the planning approval period;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (f) in relation to (e) above, the provision of the drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (g) the submission of proposals for water supplies for fire-fighting and fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (h) in relation to (g) above, the provision of the water supplies for fire-fighting and fire service installations within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (i) if any of the above planning condition (a), (b), (c) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and

- (j) if any of the above planning condition (e), (f), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

72. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

## **Agenda Item 24**

### **Section 16 Application**

[Open Meeting]

A/NE-LYT/743 Proposed Temporary Animal Boarding Establishment for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Lots 1813 S.A and 1829 S.B ss.3 (Part) in D.D. 76, Sha Tau Kok  
(RNTPC Paper No. A/NE-LYT/743)

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73. The Committee noted that the applicant’s representative requested on 27.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address the public and departmental comments. It was the first time that the applicant requested deferment of the application.

74. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 25**

**Section 16 Application**

[Open Meeting]

A/NE-TKL/654 Proposed Temporary Open Storage of Construction Material with Ancillary Office for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 1090 S.A RP (Part), 1090 S.B, 1090 S.C RP (Part), 1106 RP (Part), 1107 (Part), 1108 (Part), 1109 (Part), 1114 (Part) and 1115 (Part) in D.D. 82, Ping Che Road, Ta Kwu Ling  
(RNTPC Paper No. A/NE-TKL/654)

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75. The Secretary reported that the application site was located in Ta Kwu Ling and Dr Conrad T.C. Wong had declared an interest on the item for being the director of a company which owned a piece of land in Ta Kwu Ling.

76. The Committee noted that the applicant had requested deferment of consideration of the application and Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

77. The Committee noted that the applicant requested on 20.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

78. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 26**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-TKLN/23 Proposed Temporary Place of Recreation, Sports or Culture (Parent-Child Play Area), Eating Place and Shop and Services for a Period of 5 Years in “Recreation” Zone, Lots 35 RP, 36, 42 RP, 43, 44, 45 RP, 59 RP and 64 S.B RP in D.D. 80, Lin Ma Hang Road, Pak Fu Shan  
(RNTPC Paper No. A/NE-TKLN/23D)

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**Presentation and Question Sessions**

79. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (parent-child play area), eating place and shop and services for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, eight public comments including five from the same North District Council member indicating no comment on the application and three from an individual raising objection to the application were received. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed eating place and shop and services were not entirely in line with the planning intention of the “Recreation” (“REC”) zone, the



uses in support of the recreational development might be permitted subject to their compatibility with the surrounding environment and having no adverse impacts. Concerned government departments had no objection to or no adverse comment on the application. There was one similar application (No. A/NE-TKLN/6) for temporary retail shop, canteen and ancillary office for a period of three years within the same “REC” zone which was approved by the Committee in 2018. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

80. Members had no question on the application.

#### Deliberation Session

81. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:30 p.m. and 11:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) the provision of boundary fencing on the site within 6 months from the date of planning approval to the satisfaction of the Director of Planning or of the TPB by 5.8.2021;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (d) in relation to (c) above, the provision of drainage facilities within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (e) the submission of the design of septic tank and soakaway system and/or

other wastewater treatment facilities within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 5.8.2021;

- (f) in relation to (e) above, the provision of septic tank and soakaway system and/or other wastewater treatment facilities within 9 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the TPB by 5.11.2021;
- (g) the submission of proposals for fire service installations and water supplies for fire-fighting within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (h) in relation to (g) above, the implementation of the proposals for fire service installations and water supplies for fire-fighting within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (i) the submission of traffic management measures within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 5.8.2021;
- (j) in relation to (i) above, the implementation of the traffic management measures identified therein within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport or of the TPB by 5.11.2021;
- (k) the submission of the design of ingress and egress of the Site along Lin Ma Hang Road within 6 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 5.8.2021;
- (l) in relation to (k) above, the provision of ingress and egress of the Site along Lin Ma Hang Road within 9 months from the date of planning approval to the satisfaction of the Director of Highways or of the TPB by 5.11.2021;

- (m) if the above planning condition (a) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (n) if any of the above planning condition (b), (c), (d), (e), (f), (g), (h), (i), (j), (k) or (l) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

82. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

### **Agenda Item 27**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-MTL/3            Proposed Temporary Place of Recreation, Sports or Culture with Ancillary Site Office and Car Park for a Period of 3 Years and Land Filling in “Agriculture” and “Other Specified Uses” annotated “Research and Development” Zones, Lots 861 (Part), 869 RP (Part), 870 (Part), 871 (Part) and 872 (Part) in D.D. 96, Ma Tso Lung, Kwu Tung North  
(RNTPC Paper No. A/NE-MTL/3)

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#### **Presentation and Question Sessions**

83. Mr Tim T.Y. Fung, STP/STN, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture with ancillary site office and car park for a period of three years and land filling;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, six public comments including one from a North District Council member indicating no comment on the application and five from World Wide Fund For Nature Hong Kong, Kadoorie Farm and Botanic Garden, The Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual raising objection to the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation. There was no strong planning justifications in the submission to merit a departure from the planning intention of the “AGR” zone, even on a temporary basis. The proposed use was considered not entirely compatible with the surrounding environment. The Chief Town Planner/Urban Design and Landscape, Planning Department had reservation on the application as the land filling by concrete and asphalt would encourage more similar land filling developments in the area. The cumulative impact of such approval would further alter the surrounding landscape character in the “AGR” zone. The Commissioner for Transport did not support the application as the applicant failed to demonstrate that there was no adverse traffic impact arising from the proposed use. Other concerned government departments had no objection to or no adverse comment on the application. While the applicant claimed that the activities and workshops previously held by their association were in association with the Social Welfare Department (SWD), SWD advised that there was no concrete service proposal in the submission and no policy support had been recommended for the proposed use.

Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

84. Two Members raised the following questions:

- (a) noting that about 6% of the application site area fell within an area zoned “Other Specified Uses” annotated “Research and Development” (“OU(R&D)”), what the planning intention of and the existing developments within the “OU(R&D)” zone were; and
- (b) the existing structures near the application site.

85. In response, Mr Tim T.Y. Fung, STP/STN, made the following main points:

- (a) the “OU(R&D)” zone under the Approved Kwu Tung North Outline Zoning Plan No. S/KTN/2 was intended primarily for design, research and development uses for promoting innovative and high technology industries. Some domestic structures, squatters and active/fallow agricultural land were found in the “OU(R&D)” zone; and
- (b) according to the aerial photo (Plan A-4 of the Paper), some container-like structures were found to the west of the application site. Approval from the Lands Department for the erection of those structures had not been obtained.

#### Deliberation Session

86. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and

other agricultural purposes. There is no strong planning justification in the submission for a departure from such planning intention, even on a temporary basis; and

- (b) the applicant fails to demonstrate in the submission that the proposed development would not cause adverse traffic and landscape impacts on the surrounding areas.”

[The Chairman thanked Mr Tony Y.C. Wu and Mr Tim T.Y. Fung, STPs/STN, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

### **Fanling, Sheung Shui and Yuen Long East District**

[Mr Anthony K.O. Luk, District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FSYLE), Ms S.H. Lam, Mr Patrick M.Y. Fung, Ms Ivy C.W. Wong and Ms Irene W.S. Lai, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), were invited to the meeting at this point.]

### **Agenda Item 28**

[Open Meeting]

Proposed Amendments to the Approved Kwu Tung South Outline Zoning Plan

No. S/NE-KTS/16

(RNTPC Paper No. 2/21)

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87. The Secretary reported that the amendments were mainly to take forward the decisions of the Committee on two s.12A applications No. Y/NE-KTS/12 and Y/NE-KTS/14 located in Kwu Tung South (KTS). Application No. Y/NE-KTS/12 was submitted by Base One Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK), and Llewelyn-Davies Hong Kong Limited (LD), Black & Veatch Hong Kong Limited (B&V) and CYS Associates (Hong Kong) Limited (CYS) were three of the consultants of the applicant. The following Members had declared interests on the item :

- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB;
- Mr K.K. Cheung - his firm having current business dealings with SHK, B&V and CYS;
- Dr Conrad T.C. Wong - having current business dealings with SHK;
- Mr Ricky W.Y. Yu - having past business dealings with LD; and
- Dr Lawrence K.C. Li - being a member of the Hong Kong Golf Club, which was located in the vicinity of the s.12A application sites.

88. The Committee noted that Dr Conrad T.C. Wong and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from discussion of the concerned item. As the interest of Dr Lawrence K.C. Li was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

89. With the aid of a PowerPoint presentation, Mr Anthony K.O. Luk, DPO/FSYLE, presented the proposed amendments as detailed in the Paper and covered the following main points :

#### Background

- (a) on 20.9.2019, the Committee agreed to the s.12A application No. Y/NE-KTS/12 for rezoning a site at Kam Hang Road near Kam Tsing village from mainly “Comprehensive Development Area” (“CDA”) to “CDA(1)” to facilitate a proposed residential development with a maximum plot ratio

(PR) of 3 and maximum building height (BH) of 75 mPD for the provision of about 1,537 flats;

- (b) on 18.12.2020, the Committee partially agreed to another s.12A application No. Y/NE-KTS/14 for rezoning one of the two portions of an application site i.e. Site A, at north of Kam Hang Road, from mainly “Recreation” (“REC”) to “CDA(2)” to facilitate a proposed residential development with a maximum PR of 3 and BH of 75mPD for the provision of about 971 flats. For Site B at south of Kam Hang Road, Members had reservation on the proposed development parameters and considered that a review on Site B and its adjoining area at the south would be necessary before submitting the proposed amendments for Site B to the Committee for consideration;

#### Development Potential of the Area to the South Kam Hang Road

- (c) regarding Members’ comments that land use review on Site B and a wider area to the south of Kam Hang Road should be conducted, the Planning Department and the Civil Engineering and Development Department completed the KTS Planning and Engineering Study (KTS Study) in 2017. Given the limited transport capacity in the district, the Government decided in 2020 that the residual transport capacity in the area should be reserved to facilitate the implementation of those new developments with higher potential flat yield in the Kwu Tung North/Fanling North New Development Area (NDA) and the North District;
- (d) having reviewed the aforesaid latest situation, it was considered appropriate to proceed with the rezoning of the sites already agreed by the Committee first so as to facilitate early delivery of private residential units. Land use review on Site B of application No. Y/NE-KTS/14 and the wider area to the south would be conducted as soon as the infrastructure provision permitted. Rezoning of Site B would therefore not be proceeded at the current stage;

#### Proposed Amendments

- (e) proposed amendments to the approved KTS Outline Zoning Plan (OZP) No.



S/NE-KTS/16 involved:

- (i) Amendment Items A1 and A2 – rezoning a site on Kam Hang Road near Kam Tsin village from “CDA”, “Government, Institution or Community” (“G/IC”), “REC” and area shown as ‘Road’ to “CDA(1)” with a maximum plot ratio (PR) of 3 and BH of 75mPD to facilitate a proposed residential development under the rezoning application No. Y/NE-KTS/12 agreed by the Committee on 20.9.2019 (Amendment Item A1). Three pieces of land near Kam Tsin village were proposed to be rezoned from “CDA” to “REC” zone to tally with the “CDA(1)” zoning boundary under the agreed s.12A application (Amendment Item A2);
- (ii) Amendment Items B1, B2 and B3 – rezoning of a site north of Kam Hang Road near Kwu Tung Road from “REC” and “CDA” to “CDA(2)” with a maximum PR of 3 and maximum BH of 75mPD to facilitate a proposed residential development under the rezoning application (No. Y/NE-KTS/14) partially agreed by the Committee on 18.12.2020 (Amendment Item B1). Two strips of land to the immediate west and north of Item B1 were proposed to be rezoned from “REC” to “Green Belt” (“GB”) (Amendment Item B2) and area shown as ‘Road’ (Amendment Item B3) to reflect the existing land uses;
- (iii) Amendment Item C – rezoning of a site at the southwestern portion of a completed residential development, namely Valais, from “GB” to “R(C)2” with a maximum PR of 0.4, site coverage of 20% and BH of 3 storeys to reflect the as-built development;
- (iv) Amendment Items D1 and D2 – rezoning of a site covering mainly of a completed residential development, namely The Green at Fan Kam Road, from “CDA” and “GB” to “R(C)2” to reflect the portion with completed development and facilitate early development of the remaining portion (Amendment Item D1) through private initiative.

Small pieces of land adjoining the north-western part of The Green were rezoned from “CDA” to “GB” (Amendment Item D2) to reflect the existing situation and merge with the adjoining “GB” zone;

#### Provision of GIC Facilities and Open Space

- (f) there was no shortfall of overall open space provision in the KTS area after taking into account the proposed developments under the Amendment Items. The existing and planned provision of Government, Institution and Community (GIC) facilities was generally adequate to meet the demand of the planned population according to the requirements of the Hong Kong Planning Standards and Guidelines, except for hospital bed, classroom of primary school and kindergarten/nursery, child care centre, community care services facilities for elderly and Residential Care Home for the Elderly. The shortfall of these GIC facilities could be met by the future developments in the nearby New Town/NDA and would be addressed by the concerned departments on a wider district basis;

#### Proposed Amendment to the Notes and Explanatory Statement (ES) of the OZP

- (g) corresponding revisions to the Notes and ES were proposed to incorporate development restrictions for the proposed amendments and to align with the revised Master Schedule of Notes to Statutory Plans promulgated by the Town Planning Board (the Board); and

#### Consultation

- (h) the proposed amendments had been circulated to relevant bureaux/departments (B/Ds) for comment and no adverse comment was received. Suggestions from B/Ds had been incorporated into the ES, where appropriate.

90. As the presentation by PlanD’s representative had been completed, the Chairman invited questions from Members.

91. Two Members raised the following questions:

- (a) whether the area involved in Amendment Item B1 was the same as that of the partially agreed application No. Y/NE-KTS/14; and
- (b) whether the existing zonings of Amendment Items C and D1 were no longer suitable to reflect the completed residential developments and therefore the proposed amendments were required.

92. In response, Mr Anthony K.O. Luk, DPO/FSYLE, made the following main points:

- (a) on 18.12.2020, application No. Y/NE-KTS/14 for rezoning of two sites (i.e. Site A of about 20,843m<sup>2</sup> and Site B of about 9,893m<sup>2</sup>) from mainly “REC” to “CDA(2)” for residential development with a maximum PR of 3 and a maximum BH of 75mPD was submitted for the Committee’s consideration. Members agreed to the rezoning of Site A but had reservation on the proposed development parameters of Site B and considered that a review on Site B and its adjoining area to the south of Kam Hang Road would be necessary. Since land use review on Site B and the wider area to the south would not be conducted at the current stage, rezoning of Site B would not proceed for the time being. As such, Amendment Item B1 only covered Site A in the partially agreed s.12A application; and
- (b) Amendment Item C was the subject of a s.16 application No. A/NE-KTS/228 and a s.16A application No. A/NE-KTS/228-6 for residential development approved in 2006 and 2008 respectively. Majority of the application site (about 14.7ha or 92.44%) was zoned “R(C)2” with a minor portion of the site (about 0.62ha or 3.89%) zoned “GB”. While ‘House’ development not exceeding the development restrictions was always permitted under “R(C)2” zone, such use was a Column 2 use under “GB” zone and thus planning permission from the Board was required. As the application was approved by the Committee and the residential development had been completed, it was proposed to

rezone the “GB” portion of the development to “R(C)2” under Amendment Item C. As for Amendment Item D1, it was subject of a s.16 application No. A/NE-KTS/310 covering primarily a “CDA” site for comprehensive residential development. The master layout plan (MLP) under the application was approved by the Committee in 2011. While Phase 1 of the proposed development under the application was completed, the opportunity to implement Phase 2 according to the approved MLP was slim as the concerned land was under multiple ownership. As such, to reflect the portion with the completed development and to facilitate early development through private initiative in the remaining portion, it was proposed to rezone the whole site from “CDA” to “R(C)2”.

93. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Kwu Tung South Outline Zoning Plan (KTS OZP) No. S/NE-KTS/16 and that the draft KTS OZP No. S/NE-KTS/16A at Attachment II (to be renumbered to S/NE-KTS/17 upon exhibition) and its Notes at Attachment III are suitable for public exhibition under section 5 of the Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV for the draft KTS OZP as an expression of the planning intentions and objectives of the Board for various land use zonings of the OZP and agree that the revised ES was suitable for exhibition together with the OZP.

94. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revision would be submitted for the Board’s consideration.

**Agenda Item 29**

**Section 16 Application**

[Open Meeting]

A/KTN/69

Proposed Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions for Permitted Residential Development in “Residential (Group B)” Zone, Lots 856 (Part), 858 RP (Part), 861 (Part), 865, 866 RP (Part), 867, 868 RP (Part), 869 (Part), 870 (Part), 871 (Part), 872 (Part), 873 (Part) and 889 (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North  
(RNTPC Paper No. A/KTN/69)

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95. The Secretary reported that the application was withdrawn by the applicant after issuance of the agenda.

**Agenda Item 30**

**Section 16 Application**

[Open Meeting]

A/KTN/70

Proposed Minor Relaxation of Maximum Plot Ratio Restriction for Permitted Residential Development in “Residential (Group B)” Zone, Lots 1009 (Part), 1010 (Part), 1011 (Part), 1012 (Part), 1013 (Part), 1014 (Part) and 1015 (Part) in D.D. 95 and Adjoining Government Land, Kwu Tung North  
(RNTPC Paper No. A/KTN/70)

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96. The Secretary reported that the application was withdrawn by the applicant after issuance of the agenda.

### **Agenda Item 31**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/73                      Social Welfare Facility (Residential Care Home for Disabled and Ex-mental Illness Persons) in “Village Type Development” Zone, Lots 1380 RP (Part), 1385 S.B, 1385 S.C (Part), 1387 S.B, 1387 S.C (Part), 1387 RP (Part) in D.D. 95 and Adjoining Government Land, Ho Sheung Heung, Sheung Shui  
(RNTPC Paper No. A/KTN/73)

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97.                      The Secretary reported that the application site was located in Ho Sheung Heung, Kwu Tung North and Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North area.

98.                      As the property of Dr C.H. Hau had no direct view of the application site, the Committee agreed that he could stay in the meeting.

#### **Presentation and Question Sessions**

99.                      Ms S.H. Lam, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the social welfare facility (residential care home for disabled and ex-mental illness persons);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments including one comment from an individual supporting the application and another from an individual making suggestion to the application were received. Major views were set out in paragraph 10 of

the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was sufficient land within the “V” zone to meet the outstanding Small House applications of Ho Sheung Heung and the applied use could provide residential care home services to person with disabilities. The applied use was not incompatible with the surrounding developments. Concerned government departments had no objection to or no adverse comment on the application. The application site involved two previously approved applications for similar use and the development parameters of the current application were similar to those of the last application. There were six similar applications within the same “V” zone which were approved by the Committee. Approval of the current application was in line with the previous decision of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

100. Members had no question on the application.

#### Deliberation Session

101. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission was subject to the following conditions :

- “(a) the submission of a drainage proposal within 3 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.5.2021;
- (b) the implementation of the drainage proposal within 6 months from the date of the planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;

- (c) the submission of a proposal for fire service installations within 3 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.5.2021;
- (d) the implementation of the proposal for fire service installations within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021; and
- (e) if any of the above planning condition (a), (b), (c) or (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

102. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

### **Agenda Item 32**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KTS/484 Proposed Houses in “Comprehensive Development Area” Zone and area shown as ‘Road’, Lots 1027, 1029, 1030, 1034A, 1034B, 1039 (Part), 1040, 1042 RP, 1043 RP, 1044 RP (Part), 1045, 1047, 2233 (Part), 2251 S.A RP, 2256 RP, 2315 (Part) and 2316 RP (Part) in D.D. 92 and adjoining Government Land, Kwu Tung South, Sheung Shui (RNTPC Paper No. A/NE-KTS/484C)

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103. The Secretary reported that the application site was located in Kwu Tung South and the application was submitted by Hinying Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). Llewelyn-Davies Hong Kong Limited (LD), Black & Veatch Hong Kong Limited (B&V) and CYS Associates (HK) Limited (CYS) were three of the consultants of the applicant. The following Members had declared interests on the item:



- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB;
- Mr K.K. Cheung - his firm having current business dealings with SHK, B&V and CYS;
- Dr Conrad T.C. Wong - having current business dealings with SHK;
- Mr Ricky W.Y. Yu - having past business dealings with LD; and
- Dr Lawrence K.C. Li - being a member of the Hong Kong Golf Club, which was located in the vicinity of the application site.

104. The Committee noted that Dr Conrad T.C. Wong and Mr Ricky W.Y. Yu had tendered apologies for being unable to attend the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting for the presentation and question sessions but should refrain from asking questions and be invited to leave the meeting temporarily in the deliberation of the item. As the interest of Dr Lawrence K.C.Li was indirect and Mr K.K. Cheung had no involvement in the application, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

105. With the aid of a PowerPoint presentation, Ms S.H. Lam, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed houses;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;

- (d) during the statutory publication periods, a total of 116 public comments were received. Of which, 101 were supporting comments from individuals, ten were objecting comments from a North District Council member and individuals, three were from individuals indicating no comment and remaining two were comments from Towngas and an individual providing views on the application. Major views were set out in paragraph 10 of the Paper; and
  
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed development was in line with the planning intention of the “Comprehensive Development Area” (“CDA”) and conformed to the development restrictions of the subject “CDA” zone on the Outline Zoning Plan (OZP). The proposed house development and its development intensity were compatible with the surrounding environment. Compensatory trees to mitigate the loss of landscape resources and visual treatments to reduce the visual prominence and soften the noise barriers would be provided. The applicant had proposed two compensatory planting areas outside the application site (the Site). The Director of Agriculture, Fisheries and Conservation (DAFC) had no strong view against the application and considered it feasible for the applicant to identify adequate compensatory planting area at the detailed design stage. Other concerned government departments had no objection to or no adverse comment on the application and approval conditions were recommended to address the technical concerns of relevant government departments. The Site was the subject of a previously approved application (A/NE-KTS/364) (the Approved Scheme). There were four similar applications involving two “CDA” sites in the same northern part of the Kwu Tung South area, which were approved by the Committee. Approval of the current application which was an amendment to the Approved Scheme was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

106. Two Members raised the following questions:

- (a) noting paragraph 9.1.1(c) of the Paper stated that the proposed re-grant of lot boundary had been submitted to the North District Lands Conference (DLC) for consideration, the function of DLC and its recommendation on the matter;
- (b) whether the proposed development would privatise the riverside as alleged by one of the objecting public comments; and
- (c) whether the compensatory planting ratio could be higher than 1:1 as proposed by the applicant.

107. In response, Ms S.H. Lam, STP/FSYLE, made the following main points:

- (a) the Lands Department (LandsD) had set up the DLC in the District Lands Offices, which was chaired by an officer of LandsD and comprised an interdepartmental and multi-disciplinary group of government officials, to process applications involving land lease, such as lease modification and land exchange and private treaty grants. In the course of exchanging views between the applicant and LandsD regarding land exchange in relation to the Approved Scheme, parcels of government land mostly within the application site but outside the development site were proposed to be included in the development for better utilisation of land resources and rationalisation of boundary. Regarding the proposed re-grant boundary, the North DLC had advised that the proposed inclusion of government land had to be well justified and could be initiated through s.16 application first, and agreed to explore the possibility of granting an “in-principle approval” for the applicant’s request. Hence, the current application was submitted to amend the Approved Scheme with corresponding increase in Gross Floor Area (GFA) due to the larger development site area;
- (b) members of the public could get access to the riverside via a service road

along Sheung Yue River. However, the area to the immediately west of the Site, which was mitigation woodland under the Rural Drainage Rehabilitation Scheme for River Beas and wetland maintained by the Agriculture, Fisheries and Conservation Department (AFCD), was currently not open to the public and ACFD had no programme to open the area for public access at the moment; and

- (c) the applicant had proposed a compensatory planting ratio of 1:1 in heavy standard trees. The Chief Town Planner/Urban Design and Landscape of PlanD and DAFC had no objection to the compensatory planting as proposed by the applicant and relevant approval conditions on the submission and implementation of compensatory planting areas had been recommended. Members' comments on compensatory planting as reflected in the minutes could be passed to the concerned government departments for consideration in processing relevant submission under the approval condition.

[Miss Winnie W.M. Ng left the meeting temporarily at this point.]

### Deliberation Session

108. A Member considered that the compensatory planting ratio of 1:1 as proposed by the applicant, was not satisfactory. There was a need for relevant government departments to review the current practice with a view to formulating a set of standards for compensatory planting ratio under different circumstances.

109. Some Members shared the view and considered that compensatory planting should be provided in terms of both quantity and quality (e.g. Diameter at Breast Height of the tree, tree canopy coverage and function that could be performed, etc.) and a set of standards might need to be drawn up by relevant government departments with inputs from experts of the field.

110. The Chairman concluded that Members generally agreed that the application could be approved as it was an amendment to an approved scheme and the proposed

development parameters conformed to the development restrictions of the “CDA” zone. Regarding some Members’ concern on compensatory planting in relation to the application, it could be reflected in the minutes and conveyed to the applicant and relevant government departments to consider and follow-up through the processing of submission for compliance with approval conditions as appropriate. Members’ views on compensatory planting requirements would also be conveyed to the relevant bureau/department for consideration.

111. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.2.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission and implementation of a revised Master Layout Plan to incorporate the approval conditions as stated in paragraphs (b) to (e) below to the satisfaction of the Director of Planning or of the TPB;
- (b) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the TPB;
- (c) the design and provision of vehicular access, parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the TPB;
- (d) the provision of a 2m wide footpath on the western side of the section of Hang Tau Road to the east of the site and provision of a pedestrian crossing before occupation of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (e) the submission of a proposal of compensatory planting areas (including detailed setting out of compensatory planting areas) for the loss of the mitigation woodland under the Rural Drainage Rehabilitation Scheme for River Beas prior to commencement of site formation works and the implementation of the compensatory planting areas identified therein to the

satisfaction of the Director of Agriculture, Fisheries and Conservation or of the TPB;

- (f) the submission of a revised Noise Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;
- (g) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (h) the design and provision of the sewerage connections from the proposed development to the public sewerage system to be satisfaction of the Director of Drainage Services or of the TPB;
- (i) the submission of a revised Drainage Impact Assessment and the implementation of the drainage proposal and drainage connection works identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (j) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

112. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

### **Agenda Item 33**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-SK/295      Proposed Temporary Shop and Services (Convenience Store) for a Period of 5 Years in “Village Type Development” Zone, Lot 1136 RP (Part) in D.D. 114, Chung Sum Tsuen, Shek Kong, Yuen Long  
(RNTPC Paper No. A/YL-SK/295)

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Presentation and Question Sessions

113. Mr Patrick M.Y. Fung, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and service (convenience store) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one objecting comment from an individual was received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone and the Lands Department advised that there was no Small House application approved or currently under processing at the application site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The proposed use was considered not incompatible with the surrounding areas. Concerned government departments had no objection to or no adverse comment on the application. Although three substantiated environmental complaints concerning the application site were received by the Environmental Protection Department in the past three years, they were not related to the proposed use under the current application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were five similar applications within the same “V” zone which were

approved by the Committee and approval of the current application was in line with the previous decisions of the Committee. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

114. Members had no question on the application.

#### Deliberation Session

115. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (f) in relation to (e) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;



- (g) the submission of a fire service installation proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (h) in relation to (g) above, the implementation of the fire service installation proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (i) if any of the above planning condition (a), (b), (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

116. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

### **Agenda Item 34**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/745      Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 5 Years and Filling of Land in “Agriculture” Zone, Various Lots in D.D. 107, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/745)

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#### **Presentation and Question Sessions**

117. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary place of recreation, sports or culture (hobby farm) for a period of five years and filling of land;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three objecting comments from the Hong Kong Bird Watching Society, Designing Hong Kong Limited and an individual were received. Major objection grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view against the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding area. According to the applicant, the structures and paving/filling of land at the application site had been kept to the minimum for operational needs. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 29 similar applications for temporary hobby farm and five applications for filling of land within the same “AGR” zone. The circumstances of the only rejected similar application for temporary hobby farm were different from those of the current application and approval of the current application was in line with the Committee’s previous decisions. Regarding the public comments received, the comments of government departments and

planning assessments above were relevant

[Miss Winnie W.M. Ng returned to join the meeting at this point.]

118. A Member asked whether the application site was involved in ‘destroy first, build later’ activity as alleged in some of the public comments. In response, Ms Ivy C.W. Wong, STP/FSYLE, said that the application site was subject to an on-going planning enforcement action against an unauthorised development (UD) involving filling of land. Enforcement Notice (EN) was issued on 9.4.2020 requiring discontinuation of the UD and Reinstatement Notice (RN) was also issued on 21.4.2020 requiring removal of leftovers, debris and filled materials and grassing the land.

119. The same Member asked why the application was recommended for approval by PlanD even though the application site was subject to an on-going enforcement action. Another Member also asked whether the application site had to be reinstated should the subject application be approved by the Committee. In response, the Chairman said that while the application site was subject to enforcement action against an UD, the planning application under section 16 of the Town Planning Ordinance (the Ordinance) could still be considered by the Committee according to the established practice. The Secretary supplemented that the planning application and enforcement action were under separate statutory procedures under the Ordinance. In considering planning applications, the Town Planning Board (the Board)/Committee would take into account all relevant Town Planning Board Guidelines and pertinent planning criteria notwithstanding that the application site was subject to on-going enforcement action. In general, for sites which had been subject to UD that had changed the physical state of the site, the Board/Committee would take into account the condition of the site before it was changed/disrupted in considering the planning application. Sympathetic consideration would not be given to the subsequent development which would be an improvement to the disrupted condition caused by an UD. Enforcement action, including prosecution action, would be undertaken by the Planning Authority separately no matter whether planning permission was granted by the Board/Committee or not. As such, each planning application would be considered based on its individual circumstances and would not be rejected purely on the ground that the site was subject to enforcement action.

Deliberation Session

120. By referring to Plan A-2 of the Paper, the Committee noted that the area involving UD was a larger area covering the application site and its adjoining area. The applicant was not a current land owner of the application site and the representative of PlanD had no information on whether the applicant was the recipient of the EN/RN for the UD. The applicant had sought planning permission for filling of land at part of the application site for the construction of temporary structures and vehicular circulation spaces for the temporary hobby farm.

121. With reference to some aerial photos taken from 2013 to 2019, the Committee noted that the application site was covered with vegetation in 2013 but signs of vegetation clearance were noticed in the aerial photos since 2014.

122. Noting that the application site was subject to an on-going enforcement action against an UD involving filling of land, a Member did not support the application as approval of the application would encourage ‘destroy first, build later’ activities. The same Member also opined that the application site, even if reinstated, might not be suitable for farming as construction debris were usually used for land filling and it would be very difficult to rehabilitate the land for agricultural use.

123. Noting from the aerial photos that the application site was disrupted since 2014, two Members concurred that the ‘destroy first, build later’ activity on the site should not be encouraged and the application should not be supported.

124. The Vice-chairman, however, remarked that planning application and enforcement action were under separate statutory procedures and the Committee should consider the subject application based on its individual planning circumstances and relevant criteria, such as whether the proposed use was in line with the planning intention of the “AGR” zone and compatible with the surrounding environment, and whether the proposed use would create adverse impact on the surrounding area. The information regarding enforcement action only served as background information for the Committee’s consideration in the past, and it was important for the Committee to consider the subject application in a consistent manner. Moreover, as there was no information to demonstrate that the applicant

and the recipient of the EN/RN was the same person, it might not be justifiable to reject the application simply on the ground that the application site was subject to enforcement action.

125. A Member asked whether an applicant with site involving UD could be required to provide information on whether he/she was related to the UD, which could form as background information for considering the application. The Secretary responded that similar suggestion had been considered by the Board before and was found prone to problems.

126. Some Members shared the views that planning application and enforcement action should be considered separately as there were various reasons for an UD which might not be related to the proposed use under planning application. It might not be appropriate to correlate all UDs as 'destroy first, build later' activities and reject subsequent planning applications due to this reason, or otherwise the development potential of a site might be sterilized. Besides, the proposed use was temporary in nature and the Committee had previously considered and approved similar applications notwithstanding that there were on-going enforcement actions.

127. Noting that a person who failed to comply with the notices served by the Planning Authority under the Ordinance might commit an offence and was liable to a fine, a Member considered that a mechanism for penalty against UD had already been established under the Ordinance and there was no need for the Committee to reject the subsequent planning application as a kind of penalty for the suspected 'destroy first, build later' activities.

128. The Chairman concluded that while individual Members' concerns on the 'destroy first, build later' activity in the New Territories were noted, planning application and enforcement were under separate statutory procedures under the Ordinance. The Board/Committee had all along been considering and deciding on planning applications based on pertinent planning considerations and criteria. In parallel, the Planning Authority was empowered to undertake planning enforcement and prosecution action against UD no matter whether planning permission for use on a site with UD was granted or not. A consistent approach should therefore be adopted in the consideration of the subject application. It was noted that more Members considered that the subject application could

be approved as it was in line with the Committee's previous decisions. As for some Members' concerns on the Committee's previous decisions regarding applications involving 'destroy first, build later' activity, the Chairman suggested that the Committee would be briefed on the relevant background information on the matter in due course.

129. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 pm and 9:00 am, as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (d) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (e) in relation to (d) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (f) in relation to (e) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;

- (h) in relation to (g) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (i) if any of the above planning condition (a), (b) (c) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (j) if any of the above planning condition (d), (e), (g) or (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (k) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

130. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

### **Agenda Item 35**

#### **Section 16 Application**

[Open Meeting]

A/YL-KTN/746 Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in “Agriculture” Zone, Lot 1353 in D.D 109, Yuen Long  
(RNTPC Paper No. A/YL-KTN/746)

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131. The Committee noted that the applicant’s representative requested on 1.2.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information in response to departmental comments. It was the first time that the applicant requested deferment of the application.

132. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

### **Agenda Item 36**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/871      Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years in "Agriculture" Zone, Lots 760 RP, 762 RP, 795 RP, 797 RP, 798, 799, 800, 801, 802, 803 in D.D. 103 and adjoining government land, Sze Pai Shek, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/871)

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133.      The Secretary reported that the application was submitted by Go Green (Hong Kong) Limited (GGHK). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with GGHK.

134.      As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

#### **Presentation and Question Sessions**

135.      Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary place of recreation, sports or culture (hobby farm) for a



period of three years;

- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, three public comments including two comments from Designing Hong Kong Limited and an individual raising objection to the application and one supporting comment from an individual were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The applied use was generally not in conflict with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation had no strong view against the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “AGR” zone. The applied use was considered not incompatible with the surrounding area. According to the applicant, the paved area and number of structures had been kept to a minimum. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The application site was the subject of a previously approved application submitted by the same applicant for the same use. As there was no major change in planning circumstances since the last approval, sympathetic consideration could be given to the current application. There were seven similar applications within the same “ARG” zone and five of them were approved by the Committee. For the two rejected applications, the circumstances were different from those of the current application in that recreational uses such as barbecue and cycling tour were involved. Regarding the public comments received, the comments of government departments and planning assessments above

were relevant.

136. Members had no question on the application.

#### Deliberation Session

137. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. to 10:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no public announcement system, portable loudspeaker or any form of audio amplification system is allowed to be used on the site at any time during the planning approval period;
- (c) the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (d) the implementation of the accepted fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (e) if any of the above planning condition (a), (b) or (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (f) if the above planning condition (d) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (g) upon expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

138. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

**Agenda Item 37**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/872 Temporary Open Storage of Construction Machinery, Construction Material, Vehicle and Vehicle Parts with Ancillary Office for a Period of 3 Years in “Other Specified Uses” annotated “Rural Use” Zone, Lots 447 RP (Part) and 448 (Part) in D.D. 106, Kam Sheung Road, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTS/872)

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**Presentation and Question Sessions**

139. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary open storage of construction machinery, construction material, vehicle and vehicle parts with ancillary office for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, one objecting comment from an individual was received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD considered that the

applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. The applied use was not in line with the planning intention of “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone. Nevertheless, there was no known programme for long-term development at the application site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “OU(RU)”) zone. The applied use was considered not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F and concerned government departments had no objection to or no adverse comment on the application. As previous approvals had been granted to the whole or part of the application site and there was no major change in planning circumstances since the last approval (No. A/YL-KTS/757), sympathetic consideration could be given to the current application. There were 31 similar approved applications within the same “OU(RU)”) zone and the five rejected similar applications were subject to different circumstances. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

140. Members had no question on the application.

#### Deliberation Session

141. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant,

is allowed on the site during the planning approval period;

- (c) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the provision of fire extinguisher(s) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.3.2021;
- (j) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (k) in relation to (j) above, the implementation of the fire service installations

proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;

- (l) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (m) if any of the above planning condition (f), (g), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

142. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

### **Agenda Item 38**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTS/873 Temporary workers resting room and equipment storage room (Construction Equipment) for a Period of 1 Year in “Residential (Group A)” Zone, Lot 41 RP (Part) in D.D. 106, Kam Tin, Yuen Long (RNTPC Paper No. A/YL-KTS/873)

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143. The Secretary reported that Sun Fook Kong (Civil) Limited (SFK) was one of the consultants of the applicant and Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with SFK.

144. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

#### **Presentation and Question Sessions**

145. Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the

following aspects as detailed in the Paper :

- (a) background to the application;
- (b) temporary workers resting room and equipment storage room (construction equipment) for a period of one year;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the first three weeks of the statutory publication period; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposal involving two single-storey structures for worker resting and storage purpose was not in line with the planning intention of the “Residential (Group A)” (“R(A)”) zone. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis. The Project Manager (West), Civil Engineering and Development Department and the Director of Housing did not support the application as approval of the application, even for a period of one year, would be in conflict with the implementation of the planned public housing development at the subject “R(A)” zone. The eastern portion of the application site was the subject of a previous application for temporary shop and services use for a period of five years which was rejected by the Committee for similar consideration.

146. Members had no question on the application.

#### Deliberation Session

147. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed development is not in line with the planning intention of the “Residential (Group A)” zone which is primarily for medium-density residential developments. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the site is located within an area planned for public housing development. Approval of the application would be in conflict with the implementation works which is planned to commence in mid-2021.”

**Agenda Item 39**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-PH/873            Temporary Open Storage of Construction Machinery for a Period of 3 Years in “Agriculture” Zone, Lot 1697 RP in D.D. 111, Pat Heung, Yuen Long  
(RNTPC Paper No. A/YL-PH/873)

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**Presentation and Question Sessions**

148.        Ms Ivy C.W. Wong, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary open storage of construction machinery for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, three



objecting comments from Kadoorie Farm & Botanic Garden Corporation, Designing Hong Kong Limited and an individual were received. Major objection grounds were set out in paragraph 11 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD considered that the applied use could be tolerated for a period of three years based on the assessments set out in paragraph 12 of the Paper. Although the applied use was not in line with the planning intention of the “Agriculture” (“AGR”) zone and the Director of Agriculture, Fisheries and Conservation did not support the application as the application site possessed potential for agricultural rehabilitation, approval of the application on a temporary basis would not jeopardize the long-term planning intention of the “AGR” zone. The proposed use was considered not incompatible with the surrounding land uses. The application was generally in line with the Town Planning Board Guidelines No. 13F in that there was generally no adverse comment from concerned government departments. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were 28 similar applications within the same “AGR” zone and 22 of them were approved. The six rejected applications were subject to different planning circumstances. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

149. Members had no question on the application.

[Dr Lawrence K.C. Li left the meeting at this point.]

#### Deliberation Session

150. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays and public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, are allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (d) no dismantling, maintenance, repairing, cleansing, paint spraying or other workshop activities are allowed on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (h) in relation to (g) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the provision of fire extinguisher(s) with a valid fire certificate (FS251) within 6 weeks from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 19.3.2021;
- (j) the submission of a fire service installations proposal within 6 months from

the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;

- (k) in relation to (j) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (l) if any of the above planning condition (a), (b), (c), (d), (e) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice;
- (m) if any of the above planning condition (f), (g), (i), (j) or (k) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (n) upon the expiry of the planning permission, the reinstatement of the site to an amenity area to the satisfaction of the Director of Planning or of the TPB.”

151. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

#### **Agenda Item 40**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/294      Temporary Automatic Car Washing Centre for a Period of 3 Years in “Village Type Development” and “Commercial/Residential” Zones, Lots 2239 S.B, 2239 S.C, 2239 S.D, 2239 S.E, 2239 S.F, 2239 S.G RP, 2239 S.H RP and 2239 RP in D.D. 104, Mai Po, Yuen Long  

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(RNTPC Paper No. A/YL-MP/294B)

152. The Secretary reported that the application site was located in Mai Po and Mr

K.W. Leung had declared an interest on the item for owning a property in Fairview Park, Mai Po.

153. As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

#### Presentation and Question Sessions

154. Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary automatic car washing centre for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, two public comments including one from a member of the Yuen Long District Council providing views and one from an individual raising concerns on the application were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. Although the applied use was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, the Lands Department advised that there was no Small House application approved or under processing at the application site. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “V” zone. The applied use, which would provide car washing services to the residents in the locality, was considered generally in line with the planning intention of the “Commercial/Residential” zone and not

incompatible with the surroundings. Concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. While the application site was the subject of two previous applications which were rejected by the Committee, the current application was of a different nature serving private cars only with a different operation mode. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

155. Members had no question on the application.

#### Deliberation Session

156. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) provision of sufficient manoeuvring spaces within the site at all times during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the submission of a run-in/run-out proposal within 6 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 5.8.2021;
- (d) in relation to (c) above, the provision of the run-in/run-out within 9 months from the date of planning approval to the satisfaction of the Commissioner for Transport and the Director of Highways or of the TPB by 5.11.2021;
- (e) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or

of the TPB by 5.8.2021;

- (f) in relation to (e) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (g) in relation to (f) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (i) in relation to (h) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (j) if any of the above planning condition (a), (b) or (g) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning condition (c), (d), (e), (f), (h) or (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

157. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.

**Agenda Item 41**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-MP/302          Proposed Temporary Shop and Services (Wooden Ware Retail Shop) for a Period of 5 Years in “Open Space” Zone, Lots 2907 S.C RP, 2908 RP (Part), 2910 (Part) and 2911 RP (Part) in D.D. 104 and adjoining Government Land, Castle Peak Road - Mai Po, Mai Po, Yuen Long  
(RNTPC Paper No. A/YL-MP/302)

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158.          The Secretary reported that the application site was located in Mai Po and Mr K.W. Leung had declared an interest on the item for owning a property in Fairview Park, Mai Po.

159.          As the property of Mr K.W. Leung had no direct view of the application site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

160.          Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the temporary shop and services (wooden ware retail shop) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two objecting comments from individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the

application based on the assessments set out in paragraph 12 of the Paper. Although the proposed use was not in line with the planning intention of the “Open Space” (“O”) zone, there was no implementation programme for the planned open space at present and the Director of Leisure and Cultural Services had no objection to the application. Approval of the application on a temporary basis would not frustrate the long-term planning intention of the “O” zone. The applied use was considered not incompatible with the surrounding land uses. Although the application site fell within Wetland Buffer Area of Town Planning Board Guidelines No. 12C, the guidelines also specified that planning applications for temporary uses were exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application as the application site was paved and disturbed. Other concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. The site was the subject of a previously approved application submitted by the current applicant for similar use and there were 18 similar approved applications within the “O” zones on the Outline Zoning Plan. Approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

161. Members had no question on the application.

#### Deliberation Session

162. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years until 5.2.2026 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:30 p.m. and 9:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;



- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the maintenance of boundary fencing and the existing trees on the site at all times during the planning approval period;
- (d) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (e) in relation to (d) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (f) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (g) in relation to (f) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (h) in relation to (g) above, the implemented drainage facilities shall be maintained at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if any of the above planning condition (d), (e), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

163. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

**Agenda Item 42**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/283 Proposed Temporary Shop and Services (Convenience Store and Showroom) and Storage Use for Traffic Information Technology System Facilities with Ancillary Solar Panels for a Period of 3 Years in “Undetermined” Zone, Lots 999 S.E (Part), 1001 S.A RP (Part), 1002 S.A RP (Part) and 1327 RP (Part) in D.D. 115 and Adjoining Government Land, Au Tau, Yuen Long  
(RNTPC Paper No. A/YL-NSW/283)

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**Presentation and Question Sessions**

164. Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (convenience store and showroom) and storage use for traffic information technology system facilities with ancillary solar panels for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, 34 public comments including 33 supporting comments in a standard format from individuals and one comment from an individual raising concerns on the application were received. Major views were set out in paragraph 10 of

the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. While the long-term use of the “Undetermined” (“U”) zone was subject to study, approval of the proposed temporary use would not jeopardise the long-term land use planning for the area. The proposed use was small in scale and low-rise, which was not incompatible with the urban fringe setting around the application site. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. There were two similar approved applications in the same “U” zone and approval of the current application was in line with the previous decisions of the Committee. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

165. Members had no question on the application.

#### Deliberation Session

166. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (b) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;
- (c) in relation to (b) above, the implementation of the drainage proposal within

9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;

- (d) in relation to (c) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (g) if any of the above planning condition (a) or (d) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if any of the above planning condition (b), (c), (e) or (f) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

167. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

**Agenda Item 43**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-NSW/284 Proposed Temporary Shop and Services (Convenience Store) for a Period of 3 Years in “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” Zone, Lot 3250 S.B ss.49 (Part) in D.D. 104 and Adjoining Government Land, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-NSW/284)

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**Presentation and Question Sessions**

168. Ms Irene W.S. Lai, STP/FSYLE, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (convenience store) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication period, two objecting comments from individuals were received. Major objection grounds were set out in paragraph 11 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 12 of the Paper. While the proposed use was not entirely in line with the planning intention of the “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” zone, it could provide services to the local residents and workers in the area. It was also considered not incompatible with the surrounding land uses and there was no known

long-term development at the application site. Although the application site fell within Wetland Buffer Area of the Town Planning Board Guidelines No. 12C, the guidelines also specified that planning applications for temporary uses were exempted from the requirement of ecological impact assessment. The Director of Agriculture, Fisheries and Conservation had no adverse comment on the application as the application site was paved and disturbed. In view of the nature and small-scale of the convenience store, it would unlikely cause significant adverse impacts on the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

169. Members had no question on the application.

#### Deliberation Session

170. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 5.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 6:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to access the site at any time during the planning approval period;
- (c) the submission of a drainage proposal within 6 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.8.2021;

- (d) in relation to (c) above, the implementation of the drainage proposal within 9 months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 5.11.2021;
- (e) in relation to (d) above, the implemented drainage facilities on the site shall be maintained at all times during the planning approval period;
- (f) the submission of a fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.8.2021;
- (g) in relation to (f) above, the implementation of the fire service installations proposal within 9 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the TPB by 5.11.2021;
- (h) if any of the above planning condition (a), (b) or (e) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (i) if any of the above planning condition (c), (d), (f) or (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

171. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

**Agenda Item 44**

**Section 16 Application**

[Open Meeting]

A/YL-ST/582            Proposed Temporary Shop and Services (Convenience Store) for a Period of 3 Years in “Village Type Development” Zone, Lots 680 S.C, 680 S.D & 680 RP (Part) in D.D. 102, Tsing Lung Tsuen, San Tin, Yuen Long  
(RNTPC Paper No. A/YL-ST/582)

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172.            The Secretary reported that application was submitted by Champion Pool Management Limited (CPM). Mr K.K. Cheung had declared an interest on the item for his firm having current business dealings with CPM.

173.            The Committee noted that the applicant had requested deferment of consideration of the application. As Mr K.K. Cheung had no involvement in the application, the Committee agreed that he could stay in the meeting.

174.            The Committee noted that the applicant’s representative requested on 26.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

175.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[The Chairman thanked Mr Anthony K.O. Luk, DPO/FSYLE, Ms S.H. Lam, Mr Patrick M.Y.



Fung, Ms Ivy C.W. Wong and Ms Irene W.S. Lai, STPs/FSYLE, for their attendance to answer Members' enquiries. They left the meeting at this point.]

### **Tuen Mun and Yuen Long West District**

[Ms Carol K.L. Kan, Ms Bonnie K.C. Lee and Mr Simon P.H. Chan, Senior Town Planners/Tuen Mun and Yuen Long West (STPs/TMYLW), were invited to the meeting at this point.]

#### **Agenda Item 45**

##### **Section 16 Application**

[Open Meeting]

A/TM-LTYYY/409 Proposed Temporary Office (Small-scale Audio-visual Production Firm) in "Green Belt" Zone, Lot 860 RP (Part) in D.D. 130, Lam Tei, Tuen Mun  
(RNTPC Paper No. A/TM-LTYYY/409)

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176. The Committee noted that the applicant's representative requested on 18.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

177. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special

circumstances.

#### **Agenda Item 46**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL/263                      Proposed Social Welfare Facility (Residential Care Home for the Elderly) in “Village Type Development” Zone and an area shown as ‘Road’, Lots 1695 S.D RP, 1741 RP(Part) and 1394 S.B RP (Part) in D.D. 120 and adjoining Government Land, Tai Kei Leng, Yuen Long (RNTPC Paper No. A/YL/263B)

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##### **Presentation and Question Sessions**

178.                      With the aid of the PowerPoint presentation, Ms Carol K.L. Kan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed social welfare facility (residential care home for the elderly) (RCHE);
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the statutory publication periods, a total of 265 public comments were received. Among them, 257 were supporting comments from the representatives of Shap Pat Heung Rural Committee and Shap Pat Heung District Resident Association, Yuen Long Ma Tin Tsuen Village Representatives, representatives of Ha Tsuen Rural Committee and Yuen Long Tai Tong District Residents’ Association, six were objecting comments from the same individual together with Hang Heung Hop Kee Investment Limited and two were comments expressing views on the application from an individual and a representative of the Hang Heung Hop

Kee Investment Limited. Major views were set out in paragraph 9 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed development was not entirely in line with the planning intention of the “Village Type Development” (“V”) zone, there was sufficient land in the concerned “V” zone to meet the Small House demand. The proposed development could nevertheless help address the shortfall in elderly facilities and meet the demand of ageing population in the community. The Director of Social Welfare also supported the application from social welfare perspective. The proposed development was not incompatible with the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Regarding the land dispute issue of the application site, it should be dealt with separately. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

179. Members had no question on the application.

#### Deliberation Session

180. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.2.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of a Noise Impact Assessment and the implementation of noise mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the TPB;

- (b) the submission and implementation of a drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB; and
- (c) the provision of fire service installations and water supplies for fire-fighting to the satisfaction of the Director of Fire Services or of the TPB.”

181. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper.

### **Agenda Item 47**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/387      Proposed House (New Territories Exempted House - Small House) and Filling and Excavation of Land in “Village Type Development” and “Green Belt” Zones, Lot 1135 S.B in D.D. 129, Mong Tseng Wai, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/387)

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#### **Presentation and Question Sessions**

182. Ms Bonnie K.C. Lee, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed house (New Territories Exempted House (NTEH) – Small House) and filling and excavation of land;
- (c) departmental comments – departmental comments were set out in paragraph 11 of the Paper;
- (d) during the first three weeks of the statutory publication period, two objecting comments from Designing Hong Kong Limited and an individual

were received. Major objection grounds were set out in paragraph 12 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 13 of the Paper. The proposed development was considered in line with the planning intention of the “Village Type Development” (“V”) zone and not in conflict with the planning intention of the “Green Belt” (“GB”) zone. The proposed development was generally in line with the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories. Although the application site fell within Wetland Buffer Area of Town Planning Board Guidelines No. 12C, the guidelines also specified that planning applications for Small House development were exempted from the requirement of ecological impact assessment and the Director of Agriculture, Fisheries and Conservation had no adverse comment on the application. While the concerned “GB” portion was not the major portion of the application site, the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L) of PlanD had reservation on the application as vegetation clearance had been observed within the “GB” zone over the years. Approval of the planning application might encourage similar developments encroaching into “GB” zone and undertaking vegetation clearance and site formation prior to obtaining planning permission. Nevertheless, it was noted that the footprint of the proposed Small House was confined to the “V” zone and only a minor portion of the application site fell within the “GB” zone and no filling/excavation of land would be carried out in the “GB” portion. In that regard, the design and layout of the proposal was considered not incompatible with the surrounding area and the proposed development was generally in line with the Town Planning Board Guidelines No.10. To address the concerns of the relevant government departments, appropriate approval conditions were recommended. Other concerned government departments had no objection to or no adverse comment on the application. Although the Committee/Town Planning Board (the Board) had rejected 12 similar applications within the same “GB” zone, they were subject to

different planning circumstances. Approval of the current application was not in conflict with the previous decisions of the Committee/the Board. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

183. Members had no question on the application.

#### Deliberation Session

184. Members noted that CTP/UD&L of PlanD had reservation on the application as the vegetation clearance including tree removal and adverse landscape impact had been observed within the “GB” portion over the years. There was concern that approval of the planning application might encourage similar developments encroaching into “GB” zone and undertaking vegetation clearance and site formation prior to obtaining planning permission. Members also noted that both the footprint of the proposed Small House and filling/excavation of land would be confined to the “V” zone portion. The land in the “GB” portion was only reserved for necessary facilities such as drainage channels. In view of the above, Members generally agreed that the application could be approved.

185. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 5.2.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) no filling/excavation of land, as proposed by the applicant, is allowed to be carried out in the “Green Belt” portion of the site;
- (b) the provision of septic tank, as proposed by the applicant, at a location to the satisfaction of the Director of Lands or of the TPB;
- (c) the submission of a drainage proposal including flood mitigation measures before commencement of land filling and excavation works on the site and the issue of any certificate of exemption by the Lands Department to the

satisfaction of the Director of Drainage Services or of the TPB;

- (d) in relation to (c) above, the implementation of the drainage proposal including flood mitigation measures identified therein upon completion of the land filling and excavation works on the site to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) if any of the above planning condition (c) or (d) is not complied with, before commencement or upon completion of the land filling and excavation works respectively, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice.”

186. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VIII of the Paper.

#### **Agenda Item 48**

##### **Section 16 Application**

[Open Meeting]

A/HSK/283                      Temporary Logistics Centre for a Period of 3 Years in “Government, Institution or Community” and “Open Space” Zones, Lots 2959 (Part), 2963 (Part), 3086 (Part), 3087 (Part), 3088 S.A, 3088 S.B (Part), 3089, 3090 and 3091 in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
  
(RNTPC Paper No. A/HSK/283)

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187. The Committee noted that the applicant’s representative requested on 26.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

188. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

### **Agenda Item 49**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/HSK/284                      Proposed Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in "Village Type Development" Zone, Lots 1809 RP (Part) and 1817 (Part) in D.D.124, San Lee Uk Tsuen, Tin Ha Road, Yuen Long  
  
(RNTPC Paper No. A/HSK/284)

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#### **Presentation and Question Sessions**

189.            Mr Simon P.H. Chan, STP/TMYLW, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (real estate agency) for a period of three years;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual raising concerns on the application was



received. Major views were set out in paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was not in line with the planning intention of the “Village Type Development” zone and there was no strong planning justification given in the submission for a departure from the planning intention, even on a temporary basis. The proposed use was considered not incompatible with the surrounding area. Despite the applicant's claim that the proposed development was intended to serve the nearby potential development in Hung Shui Kiu, private property developments in Hung Shui Kiu/Ha Tsuen New Development Area would only commence after 2024. Moreover, no information had been included in the submission on the need for the proposed temporary use of such a large scale. Concerned government departments had no objection to or no adverse comment on the application. The application site was the subject of seven previous planning applications for various temporary uses. Among them, four were rejected and three were approved by the Committee/the Town Planning Board. The last application (No. A/HSK/222) submitted by the same applicant as the current application for a similar shop and services use was rejected by the Committee. Rejection of the current application was in line with the Committee's previous decision. Regarding the public comment received, the comments of government departments and planning assessments above were relevant.

190. Members had no question on the application.

#### Deliberation Session

191. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed use is not in line with the planning intention of the “Village Type Development” (“V”) zone which is to reflect existing recognised and

other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. No strong planning justification has been given in the submission for a departure from such planning intention, even on a temporary basis; and

- (b) approval of the application would set an undesirable precedent for similar applications within the same “V” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

### **Agenda Item 50**

#### **Section 16 Application**

[Open Meeting]

A/HSK/285                      Proposed Temporary Shop and Services (Vehicle Showroom with Ancillary Office) for a Period of 5 Years in “Village Type Development” Zone, Lot 13 S.A RP (Part) in D.D. 124 and Lot 1558 S.B (Part) in D.D. 125, Ha Tsuen Road, Hung Shui Kiu, Yuen Long  
(RNTPC Paper No. A/HSK/285)

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192.            The Committee noted that the applicant’s representative requested on 21.1.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

193.            After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special

circumstances.

**Agenda Item 51**

**Section 16 Application**

[Open Meeting]

A/YL-TT/505            Temporary Place of Recreation, Sports or Culture (Hobby Farm) for a Period of 3 Years and Filling of Land in “Agriculture”, “Green Belt” and “Open Storage” Zones, Various Lots in D.D. 117 and Adjoining Government Land, Tai Tong, Yuen Long  
(RNTPC Paper No. A/YL-TT/505A)

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194.        The Committee noted that the applicant’s representative requested on 22.1.2021 deferment of consideration of the application for two months so as to allow more time to address departmental comments. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information including responses to departmental comments, fire service installations proposal, drainage proposals and run-in/out proposals.

195.        After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

**Agenda Item 52**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TT/511            Renewal of Planning Approval for Temporary Public Vehicle Park for Private Car and Light Goods Vehicle for a Period of 3 Years in “Village Type Development” Zone, Lot 3563 S.C RP (Part) in D.D. 116, Tong Tau Po Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TT/511)

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196.            The Committee noted that the application was for renewal of planning approval for temporary public vehicle park for private car and light goods vehicles for a period of three years. During the first three weeks of the statutory publication period, two public comments including one from an individual raising objection to the application and another from an individual providing views on the application was received. Major views were set out in paragraph 11 of the Paper.

197.            The Committee noted that the Planning Department had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C and concerned government departments had no objection to or no adverse comment on the application. To minimise any possible environmental nuisance and to address the local concerns and technical requirements of the concerned government departments, appropriate approval conditions were recommended.

198.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 28.3.2021 to 27.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no vehicle without valid licences issued under the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on the site at any time during the planning approval period;
  
- (b) no medium or heavy goods vehicle exceeding 5.5 tonnes, including

container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;

- (c) a notice shall be posted at a prominent location of the site at all times to indicate that no medium or heavy goods vehicle exceeding 5.5 tonnes, including container tractor/trailer, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site during the planning approval period;
- (d) no vehicle dismantling, car beauty, car washing and other workshop activities, as proposed by the applicant, is allowed to be carried out on the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees within the site shall be maintained at all times during the planning approval period;
- (g) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (h) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 28.6.2021;
- (i) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (j) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (i) is not complied with during the planning approval period, the approval hereby

given shall cease to have effect and shall be revoked immediately without further notice; and

- (k) if the above planning condition (h) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

199. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

### **Agenda Item 53**

#### **Section 16 Application**

[Open Meeting]

A/YL-TT/512 Proposed Temporary Animal Boarding Establishment (Dog Kennel) for a Period of 3 Years in “Agriculture” Zone, Lot 1284 in D.D. 118, Tai Shu Ha Road West, Yuen Long  
(RNTPC Paper No. A/YL-TT/512)

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200. The Committee noted that the applicant’s representative requested on 28.1.2021 deferment of consideration of the application for two months so as to allow more time to address departmental comments. It was the first time that the applicant requested deferment of the application.

201. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 54**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1066    Renewal of Planning Approval for Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Government, Institution or Community (2)” Zone and area shown as ‘Road’, Lot 2849RP in D.D. 120, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1066)

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202.            The Committee noted that the application was for renewal of planning approval for temporary shop and services (real estate agency) for a period of three years and no public comment was received during the first three weeks of the statutory publication period.

203.            The Committee noted that the Planning Department had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C. Concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

204.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 14.3.2021 to 13.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 5:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to be parked/stored on or enter/exit the site, as proposed by the applicant, at any time during the planning approval period;
- (c) no vehicle is allowed to queue back to or reverse onto/from public road at

any time during the planning approval period;

- (d) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (e) the existing trees within the site shall be maintained at all times during the planning approval period;
- (f) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (g) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 14.6.2021;
- (h) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (i) if any of the above planning condition (a), (b), (c), (d), (e), (f) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (j) if the above planning condition (g) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

205. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix IV of the Paper.



**Agenda Item 55**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1067    Renewal of Planning Approval for Temporary Open Storage of Construction Machinery and Material for a Period of 3 Years in “Residential (Group A) 3” Zone and area shown as ‘Road’, Lots 2417 (Part), 2418 (Part) and 2421 (Part) in D.D. 120, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1067)

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206.            The Committee noted that the application was for renewal of planning approval for temporary open storage of construction machinery and material for a period of three years. During the first three weeks of the statutory publication period, two public comments from individuals including one raising objection to the application and another raising concerns on the application were received. Major views were set out in paragraph 11 of the Paper.

207.            The Committee noted that the Planning Department had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 13F and 34C. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection, who did not support the application as there were sensitive receivers of residential use in the vicinity of the application site and environmental nuisance from the applied use was expected. However, there was no environmental complaint concerning the application site in the past three years. To minimise any possible environmental nuisance and to address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

208.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 17.3.2021 to 16.3.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

“(a)    no operation between 7:00 p.m. and 7:00 a.m., as proposed by the applicant,

is allowed on the site during the planning approval period;

- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no heavy goods vehicles exceeding 24 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing trees within the site shall be maintained at all times during the planning approval period;
- (g) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 17.6.2021;
- (j) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;

- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g), (h) or (j) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if the above planning condition (i) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

209. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VII of the Paper.

### **Agenda Item 56**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1068      Renewal of Planning Approval for Temporary Warehouse for Storage of Machinery and Spare Parts for a Period of 3 Years in “Government, Institution or Community (2)”, “Open Space” Zones and area shown as ‘Road’, Lots 1483 S.A RP and 1483 S.B RP in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1068)

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210. The Committee noted that the application was for renewal of planning approval for temporary warehouse for storage of machinery and spare parts for a period of three years. During the first three weeks of the statutory publication period, one objecting comment from an individual was received. Major views were set out in paragraph 11 of the Paper.

211. The Committee noted that the Planning Department had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C. Concerned government departments had no objection to or no adverse comment on the application. To address local concerns and the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

212. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 7.4.2021 to 6.4.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:00 p.m. and 9:00 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no operation on Sundays or public holidays, as proposed by the applicant, is allowed on the site during the planning approval period;
- (c) no workshop activities, as proposed by the applicant, are allowed on the site at any time during the planning approval period;
- (d) no medium or heavy goods vehicles exceeding 5.5 tonnes, including container tractors/trailers, as defined in the Road Traffic Ordinance, as proposed by the applicant, is allowed to be parked/stored on or enter/exit the site at any time during the planning approval period;
- (e) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (f) the existing boundary fencing on the site shall be maintained at all times during the planning approval period;
- (g) the existing trees within the site shall be maintained at all times during the planning approval period;
- (h) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (i) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed

planning approval to the satisfaction of the Director of Drainage Services or of the TPB by 7.7.2021;

- (j) the implementation of the fire service installations proposal within 6 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Fire Services or of the TPB by 7.10.2021;
- (k) if any of the above planning condition (a), (b), (c), (d), (e), (f), (g) or (h) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (l) if any of the above planning condition (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

213. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

### **Agenda Item 57**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-TYST/1069      Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of 3 Years in “Industrial” Zone, Lots 1290 S.C RP, 1293 S.C and 2019 in D.D. 121 and adjoining Government Land, San Fui Street, Tong Yan San Tsuen, Yuen Long  
(RNTPC Paper No. A/YL-TYST/1069)

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214. The Committee noted that the application was for renewal of planning approval for temporary concrete batching plant for a period of three years. During the first three weeks of the statutory publication period, two objecting comments from the village representative of Fui Sha Wai and an individual were received. Major objection grounds

were set out in paragraph 11 of the Paper.

215. The Committee noted that the Planning Department had no objection to the application based on the assessments set out in paragraph 12 of the Paper. The application was generally in line with the Town Planning Board Guidelines No. 34C. Concerned government departments had no objection to or no adverse comment on the application, except the Director of Environmental Protection, who did not support the application as there were sensitive receivers of residential use in the vicinity of the application site and environmental nuisance was expected from the applied use. However, there had been no environmental complaint concerning the application site in the past three years. To minimise any possible environmental nuisance and to address the local concerns and technical requirements of the concerned government departments, appropriate approval conditions were recommended.

216. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years and be renewed from 18.2.2021 to 17.2.2024 on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) no operation between 7:30 p.m. and 7:30 a.m., as proposed by the applicant, is allowed on the site during the planning approval period;
- (b) no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period;
- (c) the existing trees within the site shall be maintained at all times during the planning approval period;
- (d) the existing drainage facilities on the site shall be maintained at all times during the planning approval period;
- (e) the submission of a condition record of the existing drainage facilities on the site within 3 months from the date of commencement of the renewed planning approval to the satisfaction of the Director of Drainage Services or

of the TPB by 18.5.2021;

- (f) the existing fire service installations implemented on the site shall be maintained in efficient working order at all times during the planning approval period;
- (g) if any of the above planning condition (a), (b), (c), (d) or (f) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (h) if the above planning condition (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

217. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix VI of the Paper.

[The Chairman thanked Ms Carol K.L. Kan, Ms Bonnie K.C. Lee and Mr Simon P.H. Chan, STPs/TMYLW, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

### **Agenda Item 58**

#### Any Other Business

#### Section 16A Application

[Open Meeting]

A/YL-MP/283-6      Application for Extension of Time for Compliance with Planning Conditions, First Floor, Lot 4620 in D.D. 104, Mai Po, Yuen Long, New Territories  
(RNTPC Paper No. A/YL-MP/283-6)

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218. The Secretary reported that the application was approved with conditions by the

Committee on 19.7.2019. The deadline for compliance with approval conditions (a) and (b) was 19.1.2021. An application for extension of time for compliance with approval conditions (a) and (b) up till 19.4.2021 was received by the Town Planning Board on 15.1.2021, which was only three working days before the expiry of the specified time limit for approval conditions (a) and (b). It was recommended not to consider the application as the deadline for compliance with conditions (a) and (b) had already expired on 19.1.2021, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked. The Committee could not consider the section 16A application as the planning permission was no longer valid at the time of consideration.

219. After deliberation, the Committee agreed not to consider the section 16A application as the planning permission was no longer valid at the time of consideration.

220. There being no other business, the meeting closed at 5:40 p.m..